

CHRISTOPHER J. CHRISTIE
United States Attorney
By: DAVID E. MALAGOLD
Assistant United States Attorney
970 Broad Street, 7th Floor
Newark, New Jersey 07102
(973) 645-2700

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,	: Hon. Peter G. Sheridan
v.	: Criminal No. 07-594 (PGS)
LEONARD BROWN	: CONSENT JUDGMENT AND PRELIMINARY ORDER OF FORFEITURE

This matter having been opened to the Court by Christopher J. Christie, United States Attorney for the District of New Jersey, (Assistant United States Attorney David E. Malagold, appearing), for the entry of a consent judgment and preliminary order of forfeiture, and defendant Leonard Brown (Linda Foster, Esq., appearing) having consented to the request; and the Court having found that:

WHEREAS, in accordance with the Plea Agreement filed on or about 10-24-08 entered into between the United States of America and defendant Leonard Brown in the above matter, the defendant, pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), has agreed to forfeit to the United States the following property:

- (1) Norinco 9mm handgun, bearing serial numbers 5354986 and P03090;
- (2) five (5) rounds of 9mm ammunition; and
- (3) one 9mm magazine.

hereinafter the "Forfeited Property" or "the Forfeited Firearms and Ammunition"); and

WHEREAS, defendant, Leonard Brown, has specifically acknowledged notice of the criminal forfeiture, consented to the entry of a Consent Judgment and Preliminary Order of Forfeiture, and waived his right to be present and heard on the timing and form of this order pursuant to Federal Rules of Criminal Procedure 32.2(a) and 43(a); and

WHEREAS, defendant, Leonard Brown, has agreed not to contest the forfeiture of the above referenced property;

WHEREAS, by virtue of the above, the United States is now entitled to possession of the Forfeited Property pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c) and Rule 32.2 of the Federal Rules of Criminal Procedure; and

WHEREAS, defendant Leonard Brown has waived and abandoned all right, title and interest in the Forfeited Firearms and Ammunition; and defendant Leonard Brown has further waived, released and withdrawn any claim that defendant may have made with respect to the Forfeited Firearms and Ammunition, and waived and released any claim that defendant might otherwise have made to that property in the future; and

WHEREAS, defendant Leonard Brown having consented to the destruction of the Forfeited Firearms and Ammunition; and for good and sufficient cause shown;

It is hereby **ORDERED, ADJUDGED AND DECREED**:

1. That the Forfeited Property, specifically:

- (1) Norinco 9mm handgun, bearing serial numbers 5354986 and P03090;
- (2) five (5) rounds of 9mm ammunition; and
- (3) one 9mm magazine

is to be held by any authorized agency of the United States or the Essex County prosecutor's Office in its secure custody and control;

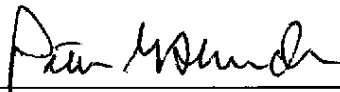
2. That pursuant to applicable law the United States forthwith shall publish at least once for three successive weeks in a newspaper of general circulation, notice of this Order, notice of the United States' intent to dispose of the Forfeited Property in such manner as the Attorney General may direct and notice that any person, other than the defendant, having or claiming a legal interest in the Forfeited Property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier;

3. That this notice: (a) shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Forfeited Property; (b) shall be signed by the petitioner under penalty of perjury, and (c) shall set forth the nature and extent of the petitioner's right or interest in the Forfeited Property and any additional facts supporting the petitioner's claim and the relief sought;

4. That the United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the Forfeited Property that is the subject of this Consent Judgment and Preliminary Order of Forfeiture, as a substitute for published notice as to those persons so notified; and

5. That upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture authorizing the United States to destroy the Forfeited Firearms and Ammunition.

ORDERED this 24 day of October, 2008


HONORABLE PETER G. SHERIDAN
United States District Judge

CHRISTOPHER J. CHRISTIE
UNITED STATES ATTORNEY


By: DAVID E. MALAGOLD
Assistant U.S. Attorney

10-24-08
Dated


LINDA FOSTER, Esq.
Counsel for the Defendant

10/1/08
Dated


LEONARD BROWN
Defendant

10-1-08
Dated